STATE OF CONNECTICUT
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
OFFICE OF RESPONSIBLE DEVELOPMENT

ENVIRONMENTAL ASSESSMENT CHECKLIST

Date: 6/1/11 **Staff Contact:** Nelson Tereso
Municipality: Montville **Project Name:** Montville Public Safety Building
Funding Source: URBAN ACT **State Funds:** $700,000
Type of State Agency Review **Stage 1 __X__** **Stage 2**

This assessment is being conducted in conformance to the Department's Environmental Classification Document to determine CEPA obligations. *Note: environmental remediation is a positive environmental impact, but not a CEPA activity.*

The new Town Public Safety Building will be constructed on Town property at 911 Norwich New London Turnpike, Montville, CT 06382 on State Road Route 32. The 15.96 acre site abuts three adjacent commercial properties along route 32. Stony Brook and Horton Cove tributaries of the Thames River are approximately 7/8 of a mile away. This project will utilize approximately 5 aces of the site. The site is served by public water and sewer.

The proposed project is the construction of a new 17,000 square foot single story building on the town owned site. The building is designed to house the Resident State Trooper, Montville Constables, Detective Squad, Youth Officer, Animal Control Officer and a regional communications /dispatch center. A vehicle impound area will be constructed the southeast corner of the site. Parking will be provided for 64 vehicles. A communications tower will be constructed by others.

The stormwater management system will capture surface runoff in a network of catch basins located around the perimeter of the parking areas and access drives. Runoff will be conveyed through a closed pipe system to water quality treatment basins located at the discharge points and travel to treatment basins and dissipate by infiltration and controlled surface flow.

RCSA sec. 22a-1a-3 Determination of environmental significance (direct/indirect)

1) *Impact on air and* water *quality or on ambient noise levels* –
   a) *Air Quality* – N/A
   b) *Water Quality* – N/A
   c) *Noise* – N/A
2) *Impact on a public water supply system or serious effects on groundwater, flooding, erosion, or sedimentation.*
   a) Water *Supply* – The project is not in a public water supply source area.
   b) *Groundwater* – N/A
   c) *Flooding* – There is an area within the 100-year flood zone on the community's Flood Insurance Rate Map along Horton Cove. Based on the site plan provided, no activities are proposed within the flood zone.

   DEP comments regarding Stormwater discharges The Permitting & Enforcement Division has issued a *General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with*

Construction Activities that will cover these discharges. A stormwater pollution control plan, including measures such as erosion and sediment controls and post construction stormwater management, has been included in the design.

d) Sedimentation – In order to protect any wetlands and watercourses adjacent to the site, strict erosion and sediment controls should be employed during construction.

3) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows* – The proposed project is within Connecticut's coastal boundary. The proposed 5 acre construction site is at the portion of the property farthest removed from coastal waters. Should additional work be proposed on any of the remaining 11 acres of this parcel in the future, a determination would need to be made about the acceptability of potential adverse impacts of the proposed development on possible future water-dependent development activities in accordance with the factors defined in the Connecticut Coastal Management Act.

The Natural Resources Conservation Service's Soil Survey does not depict any wetland soils within the project area. However, Stony Brook flows along the northern portion of the site. The site plan depicts a wetland area associated with the brook. The development avoids direct impact to wetland areas but encroaches on the regulated buffer area. The local agency should be contacted regarding permit requirements.

4) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings* – N/A

5) *Effect on natural communities and upon critical species of animal or plant and their habitats: interference with the movement of any resident or migratory fish or wildlife species* – The Natural Diversity Data Base, maintained by DEP, concludes that the project will not impact any extant populations of Federally listed endangered or threatened species or species listed by the State.

6) *Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact* – N/A

7) Substantial aesthetic or visual effects – N/A

8) *Consistency with the written and/or mapped policies of the statewide Plan of Conservation and Development and such other plans and policies developed or coordinated by the Office of Policy and Management or other agency* – The site is listed as Existing Preserved Open Space in the *Conservation & Development Policies Plan for Connecticut 2005 - 2010*. OPM has determined that the current designation of the project area as Existing Preserved Open Space (EPOS) on the State C&D Plan needs a technical change. Based on OPM's determination there are no land use restrictions and the property is owned by the Town. The project area should be considered as having been designated as "Growth Area".

9) Disruption or division of an established community or inconsistency with adopted municipal or regional plans – N/A

10) Displacement or addition of substantial numbers of people – None

11) Substantial increase in congestion (traffic, recreational, other) – The project is less than 100,000 square feet of gross floor area and/or 200 parking spaces. No STC action is necessary at this time.

12) A substantial increase in the type or rate of energy use as a result of the action – The Department typically recommends that the new and renovated facilities be designed and constructed incorporating energy efficiency requirements encouraging the building to be LEED® certified.

13) The creation of a hazard to human health or safety – DPH comment was to follow the department

directions with regard to construction using radon resistant features. The facility should be tested for radon after construction is completed.

14) Any other substantial impact on natural, cultural, recreational or scenic resources - N/A

Recommendations:

The issues/concerns raised by State agencies are related to compliance with water quality, storm water management, erosion control and indirect project impacts, etc. Based on all of the comments received, it is recommended that an EIE is not warranted for this project but that the following state agency coordination is initiated as part of the project:

DEP/DPH: The CT Departments of Environmental Protection and Public Health have completed Stage I Site Reviews of the above referenced project. The following recommendations are submitted;

1. A permit is required for the discharge of stormwater from construction sites The DEP Permitting & Enforcement Division has issued a *General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities* (DEP-PERD-GP-015) that will cover these discharges.
2. The project shall adhere to the *Connecticut Guidelines for Soil Erosion and Sediment Control.*
3. DEP strongly supports the use of low impact development (LID) practices such as water quality swales and rain gardens for infiltration of stormwater on site.
4. DEP suggests that this project would be fully consistent with the policies of the CCMA if a meaningful public access amenity were included in the final proposal. Should additional work be proposed on any of the remaining 11 acres of this parcel in the future, a determination would need to be made about the possibility of providing public access to the waterfront.
5. DPH recommends that the facility should be tested for radon after construction is completed.

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SECTION

May 10, 2011

Nelson Tereso, Project Manager
Department of Economic and Community Development
505 Hudson Street
Hartford, CT 06106

RE: Notice of Scoping for Montville Public Safety Building

Dear Mr. Tereso:

A review of the documents reveals that the new Town Public Safety Building will be constructed on the proposed town owned site. The building in Montville will be designed to house many people such as the Resident State Trooper, constables, detective squad and various officers. When a building is to be constructed and occupied on a regular basis, it should be built using radon resistant features.

The following summarizes the Department's position with regard to radon:

A. Radon
The Connecticut Department of Public Health Radon Program recommends that during the construction of the building, radon resistant features should be built into the infrastructure of the building.

The list below describes the basic components of radon resistant new construction:

- A gas permeable layer, such as 4-inch gravel, placed beneath the slab to allow soil gases to move freely underneath the building
- Plastic sheeting over the gas permeable layer and under the slab to help prevent soil gases from entering the home
- Sealing and caulking all openings in the foundation floor to reduce soil gas entry
- A vent pipe, such as 6 inch PVC pipe, to run from the gas permeable layer through the building to the roof to safely vent soil gases above the building
- An electrical junction box installed in case an electric venting fan is needed later

The facility should be tested for radon after construction is completed. If radon results are at or above 4.0 picocuries per liter (pCi/L), the existing system should be activated by installing an in-line fan.

Additional inquiries on the subject of radon resistant new construction can be directed to Francesca Provenzano, Health Program Supervisor of the Radon Program, at 860-509-7367.

Sincerely,

Suzanne Blancaflor, M.S., M.P.H.
Chief, Environmental Health Section

C: Dimple Desai, Office of Policy and Management

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STATE OF CONNECTICUT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF ENVIRONMENTAL REVIEW

79 ELM STREET, HARTFORD, CT 06106-5127

To: Nelson Tereso - Project Manager
DECD - Office of Responsible Development, 505 Hudson Street, Hartford, CT

From: David J. Fox - Senior Environmental Analyst **Telephone:** 860-424-4111

E-Mail: david.fox@ct.gov

Date: May 12, 2011

Subject: Public Safety Building, Montville

The Department of Environmental Protection has completed a Stage I Site Review of the above referenced project. The following commentary is submitted for your consideration.

The site is Existing Preserved Open Space in the *Conservation & Development Policies Plan for Connecticut 2005 - 2010*. State policy is to "approve actions not consistent with long-term preservation only when it is demonstrated that there are overriding social, economic, and public benefits and there are no feasible alternatives." A decision to site the public safety building at this location should only be made after a thorough evaluation of alternatives has demonstrated that there are no alternate sites within the town that would be consistent with State policies.

The proposed project is within Connecticut's coastal boundary as defined by section 22a-94 of the Connecticut General Statutes (CGS) and is subject to the provisions of the Connecticut Coastal Management Act (CCMA), sections 22a-90 through 22a-112. The project can be considered to be a municipal improvement according to section 8-24 of the CGS. Therefore, a Coastal Site Plan Review, in accordance with sections 22a-105 through 22a-109 of the CGS, must be included in the review by the local planning commission.

While the proposed construction site is at the portion of the property farthest removed from coastal waters, it is still within an undeveloped waterfront parcel that is suitable for water-dependent uses. The proposal as described is for a non-water dependent use. The CCMA defines water-dependent uses as: land uses that require direct access to coastal waters in order to function and which therefore must be located at the waterfront rather than on inland sites. Such uses include, but are not limited to marinas, commercial fishing or boating facilities and uses that provide general public access to coastal waters [section 22a-93(16) of the CGS]. Should additional work be proposed on any of the remaining 11 acres of this parcel in the future, a determination would need to be made about the acceptability of potential adverse impacts of the proposed development on possible future water-dependent development activities in accordance with the factors defined in the CCMA.

When a non-water-dependent use is proposed on a waterfront site, the reviewing board or commission must determine the acceptability of potential adverse impacts of the proposed

development on possible future water-dependent development activities. While doing this evaluation, the following factors, which define adverse impacts to future water-dependent development activities, must be considered [section 22a-93(17) of the CGS]

- Is the site physically suited for a water-dependent use for which there is reasonable demand, or has the site been identified in the plan of development or zoning regulations for water-dependent uses?
- Will a non-water-dependent use replace an existing water-dependent use as part of the proposed development or redevelopment?
- Will a non-water-dependent use inhibit or restrict existing public access?

Upon such a determination, the proposed use would need to be modified or conditioned if such impacts can be mitigated to a level which is consistent with the applicable goals and policies of the CCMA or, if modification cannot achieve consistency, the project should be denied. To render such proposals consistent, the applicant may include a meaningful public coastal access amenity with signage and parking spaces designated for public access. Meaningful public coastal access may include a kayak launch, a walkway with a sitting/viewing area and/or a small fishing pier.

The Natural Resources Conservation Service's Soil Survey does not depict any wetland soils within the project area. However, Stony Brook flows along the northern portion of the site. The site plan depicts a wetland area associated with the brook; it is assumed that this area was delineated by a certified soil scientist. The development avoids direct impact to wetland areas but encroaches on the regulated buffer area. The inland wetlands or watercourses at the site and the buffer area are regulated by the local inland wetlands agency, pursuant to section 22a-42 of the CGS. The local agency should be contacted regarding permit requirements.

In order to protect any wetlands and watercourses adjacent to the site, strict erosion and sediment controls should be employed during construction. The *Connecticut Guidelines for Soil Erosion and Sediment Control* prepared by the Connecticut Council on Soil and Water Conservation in cooperation with DEP is a recommended source of technical assistance in the selection and design of appropriate control measures. The 2002 revised edition of the Guidelines, published as DEP Bulletin 34 may be obtained at the DEP bookstore, either by telephone 860-424-3555 or online at: DEP Bookstore.

There is an area within the 100-year flood zone on the community's Flood Insurance Rate Map along Horton Cove. State funding for any activities within the flood zone would have to be certified by the DECD as being in compliance with flood and stormwater management standards specified in section 25-68d of the CGS and section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies. Based on the site plan provided, no activities are proposed within the flood zone.

Traditional stormwater systems collect stormwater as rapidly as possible and quickly shunt it from upland areas to receiving waterbodies. This has resulted in widespread and significant pollution problems from both the materials picked up by the stormwater as it flows over developed land surfaces (non-point source pollution) and, in coastal locations, from the freshwater itself which, even if potable, is a pollutant (by virtue of volume) when introduced into

a saline ecosystem. The latest emphasis in stormwater management is to try to minimize changes between pre- and post-development runoff rates and volumes by utilizing on-site retention and to pretreat discharges to remove total suspended solids, oils, greases, nutrients, pathogens and floatable debris. The Department's standard recommendation concerning stormwater management which follows should be observed, as appropriate.

> Appropriate controls, designed to remove sediment and oil or grease typically found in runoff from parking and driving areas, should be included in any stormwater collection system to be installed or upgraded at the site. Non-structural measures to dissipate and treat runoff are strongly encouraged, including infiltration using pervious paving or sheetflow from uncurbed pavement to vegetated swales, water gardens or depression storage areas. The Department recommends a stormwater management treatment train approach. Such a system includes a series of stormwater best management practices (BMPs) that target the anticipated pollutants of concern. For example, parking lot runoff would be expected to contain petroleum hydrocarbons, heavy metals, sediment, organic material (leaves/grass clippings) and seasonally elevated temperatures. Potential structural stormwater BMPs include, but are not limited to, catch basin inserts, gross particle separators, deep sump catch basins fitted with passive skimmers, and/or detention/retention basins having adequate pre-treatment. For larger sites, a combination of structural and non-structural BMPs are typically most effective and practical. If more than 1 acre of pavement drains to a common discharge point, a hydrodynamic separator, incorporating swirl technology, circular screening technology or engineered cylindrical sedimentation technology, is recommended to remove medium to coarse grained sediments and oil or grease. The treatment system should be sized such that it can treat stormwater runoff adequately. The Department recommends that the treatment system be designed to treat the first inch of stormwater runoff. Upon installation, a maintenance plan should also be implemented to insure continued effectiveness of these control measures.

For additional guidance, consult the *Connecticut Stormwater Quality Manual.* The manual provides guidance on the measures necessary to protect the waters of the state from the adverse impacts of post-construction stormwater runoff. The manual is available on-line at: Stormwater Manual.

The Department strongly supports the use of low impact development (LID) practices such as water quality swales and rain gardens for infiltration of stormwater on site. Key strategies for effective LID include: managing stormwater close to where precipitation falls; infiltrating, filtering, and storing as much stormwater as feasible; managing stormwater at multiple locations throughout the landscape; conserving and restoring natural vegetation and soils; preserving open space and minimizing land disturbance; designing the site to minimize impervious surfaces; and providing for maintenance and education. Water quality and quantity benefits are maximized when multiple techniques are grouped together. Consequently, we typically recommend the utilization of one, or a combination of, the following measures:

- the use of pervious pavement or grid pavers (which are very compatible for parking lot and fire lane applications), or impervious pavement without curbs or with notched curbs to direct runoff to properly designed and installed infiltration areas,
- the use of vegetated swales, tree box filters, and/or infiltration islands to infiltrate and treat stormwater runoff (from building roofs and parking lots),
- the minimization of access road widths and parking lot areas to the maximum extent possible to reduce the area of impervious surface,
- if soil conditions permit, the use of dry wells to manage runoff from the building roofs,
- the use of vegetated roofs (green roofs) to reduce the runoff from buildings,
- proper treatment of special activity areas (e.g. loading docks, covered maintenance and service areas),
- the installation of rainwater harvesting systems to capture stormwater from building roofs for the purpose of reuse for irrigation, and
- providing for pollution prevention measures to reduce the introduction of pollutants to the environment.

The effectiveness of various LID techniques that rely on infiltration depends on the soil types present at the site. According to the Natural Resources Conservation Service's Soil Web Survey (available on-line at: Web Soil Survey), the soils in the project area vary in their suitability for various stormwater management practices. Haven and Enfield soils, found in the northwest portion of the area to be developed, are most suitable for infiltration practices, while Agawam fine sandy loam, in the southern portion, is somewhat suitable and Hinckley loam, in the northeast portion, is least suitable. Soil mapping consists of a minimum 3 acres map unit and soils may vary substantially within each mapping unit. Test pits should be dug in areas planned for infiltration practices to verify soil suitability and/or limitations. Planning should insure that areas to be used for infiltration are not compacted during the construction process by vehicles or machinery. The siting of areas for infiltration must also consider any existing soil or groundwater contamination.

The Department has compiled a listing of web resources with information about watershed management, green infrastructure and LID best management practices. It may be found on-line at: LID Resources

Stormwater discharges from construction sites where one or more acres are to be disturbed require a permit pursuant to 40 CFR 122.26. The Permitting & Enforcement Division has issued a *General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities* (DEP-PERD-GP-015) that will cover these discharges. For projects disturbing five or more acres, registration describing the site and the construction activity must be submitted to the Department prior to the initiation of construction. A stormwater pollution control plan, including measures such as erosion and sediment controls and post construction stormwater management, must be prepared. For sites where more than 10 acres will be disturbed, the plan must be submitted to the Department. A goal of 80 percent removal of total suspended solids from the stormwater discharge shall be used in designing and installing stormwater management measures. For construction projects with a total disturbed area between one and five acres, no registration is required as long as the project is reviewed by the town and receives written approval of its erosion and sediment control measures and it adheres to the *Connecticut Guidelines for Soil Erosion and Sediment Control*. If no review is conducted by the

town or written approval is not provided, the permittee must register with the Department. For further information, contact the division at 860-424-3018. A copy of the general permit as well as registration forms may be downloaded at: Construction Stormwater GP.

The Natural Diversity Data Base, maintained by DEP, concludes that the project will not impact any extant populations of Federally listed endangered or threatened species or species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern in the project area. This information is not the result of comprehensive or site-specific field investigations. Consultation with the Natural Diversity Data Base should not be substituted for on-site surveys required for environmental assessments. The extent of investigation by competent biologist(s) of the flora and fauna found at the site would depend on the nature of the existing habitat(s). If field investigations reveal any Federal or State listed species, please contact the DEP Geologic & Natural History Survey at 860-424-3540.

The Department typically recommends that the new and renovated facilities be designed and constructed incorporating energy efficiency requirements. One way to accomplish this is to require the building to be LEED® certified. LEED® (Leadership in Energy and Environmental Design) is a green building rating system developed by the U.S. Green Building Council that is a voluntary, consensus-based national standard for developing high-performance, sustainable buildings. In addition to promoting energy efficiency and renewable energy, LEED® promotes sustainable site planning, safeguarding water and water efficiencies, conserving materials and resources, and improving indoor environmental quality. Additional information can also be found at: Green Building Council.

Thank you for the opportunity to review this project. If there are any questions regarding these comments, please contact me.

cc: Dimple Desai, OPM
Robert Hannon, DEP/OPPD
Kristal Kallenberg, DEP/OLISP

STATE OF CONNECTICUT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF ENVIRONMENTAL REVIEW

79 ELM STREET, HARTFORD, CT 06106-5127

To: Nelson Tereso - Project Manager
DECD - Office of Responsible Development, 505 Hudson Street, Hartford, CT

From: David J. Fox - Senior Environmental Analyst **Telephone:** 860-424-4111

E-Mail: david.fox@ct.gov

Date: May 19, 2011

Subject: Public Safety Building, Montville

The Department of Environmental Protection has received the Notice of Scoping for the above referenced project. The following commentary is submitted for your consideration.

The Department had previously submitted comments during Stage I Site Review for this project. These comments, contained in my memo dated May 12, 2011, should also be considered as scoping comments. In addition, the Department would like to offer the following comments suggesting that, as part of development of this waterfront property, public access to Horton Cove be provided, at a minimum, via a simple trail.

As stated in our previous comments, the proposal as described is for a non-water dependent use on a waterfront property. The Connecticut Coastal Management Act (CCMA) defines water-dependent uses as: land uses that require direct access to coastal waters in order to function and which therefore must be located at the waterfront rather than on inland sites. Such uses include, but are not limited to marinas, commercial fishing or boating facilities and uses that provide general public access to coastal waters [section 22a-93(16) of the Connecticut General Statutes (CGS)]. When a non-water-dependent use is proposed on a waterfront site, the proposed use should be modified or conditioned if such impacts can be mitigated to a level which is consistent with the applicable goals and policies of the CCMA. To render such proposals consistent, the applicant may include a meaningful public coastal access amenity with signage and parking spaces designated for public access. Meaningful public coastal access may include a kayak launch, a walkway with a sitting/viewing area and/or a small fishing pier.

According to the Northeast Coastal Areas Study prepared by the U.S. Fish and Wildlife Service, "several of the shallow tidal coves and associated brackish marshes in the lower Thames River contain regionally significant concentrations of wintering and migrating waterfowl, especially of several species not commonly found elsewhere or in similar concentrations in the region. These include relatively large numbers of canvas back (*Aythya valisineria*), American wigeon (*Anas americana*), American black duck (*Anas rubripes*), gadwall (*Anas streptera*), mallard (*Anas platyrhynchos*), redhead (*Aythya americana*), goldeneye (*Bucephela clangula*) and hooded merganser (*Lophodytes cucullatus*). Also found here are common and redbreasted merganser (*Mergus merganser* and *Mergus serrator*, respectively) and greater and lesser scaup

(*Aythya marila* and *Aythya affinis,* respectively). In addition to the Thames River itself, **Horton Cove has been cited as an area of biological significance**."

Staff from the Office of Long Island Sound Programs (OLISP) walked the subject parcel on Wednesday May 18, 2011 to determine the feasibility of a basic public access amenity. OLISP staff entered the site through the parking lot south of the True Value hardware store to access the existing cart path. This entrance is private, not part of the subject parcel and unrelated to the proposed development. Further east (about 40 feet) however, this cart path intersects with the proposed "impound area" of the development and could potentially be included in a public access trail.

The remainder of the parcel that is to remain undisturbed can be generally described as heavily vegetated with a moderate slope. However, there is some diversity. Some areas are sensitive due to resources such as wetlands and small streams. Other areas are less desirable for a trail because of huge boulders, dense vegetation, fallen trees etc. OLISP staff found that the northern half of the parcel represents the best opportunities for access to the cove for fishing or birding, especially towards the areas where Stony Brook enters Horton Cove and along the shoreline. These areas had gentler slopes and vegetation. Some locals also described these areas as ideal spots for blue crab fishing.

The site represents an excellent opportunity for a simple trail to the water's edge where there are areas that are suitable for fishing or birding. The Department suggests that the project would be fully consistent with the policies of the CCMA if a meaningful public access amenity were included in the final proposal. Such an amenity would also partially mitigate the loss of open space resulting from development of this parcel by enhancing public access to the remainder of the parcel (see previous comments regarding consistency with *Conservation & Development Policies Plan for Connecticut 2005 - 2010*). Absent a trail, the proposal would essentially prohibit public access to the entire parcel as well as the waterfront. OLISP staff has some guidelines available to assist in the design, construction and maintenance of such amenities (see attached). They are also available to meet with Town officials to walk the site and discuss public access in more detail. Kristal Kallenberg is the appropriate contact; she may be reached at 860-424-3760 or kristal.kalleberg@ct.gov.

Thank you for the opportunity to review this project. If there are any questions regarding these comments, please contact me.

cc: Dimple Desai, OPM
Robert Hannon, DEP/OPPD
Kristal Kallenberg, DEP/OLISP